The illegality of means as well as the illegality of object provides a substantial ground for injunction. *Jensen* v. *Cooks' & Waiters' Union*, 39 Wash. 531, 81 Pac. 1069, 4 L. R. A. (N. S.) 302; *Beck* v. *Railway Teamsters' Protective Union*, 118 Mich. 497, 77 N. W. 13, 42 L. R. A. 407. In one case the court was requested to enjoin union men from means not in themselves illegal as well as means which were illegal. The court struck out the part of the injunction dealing with the legal means and only enjoined the defendant from acts involving force, fraud or intimidation. *Butterick Publishing Co.* v. *Typographical Union No. 6*, 50 Misc. Rep. 1, 100 N. Y. Supp. 292.

For a more general discussion of the history and development of trade unions, see 3 VA. LAW REV. 385; 6 VA. LAW REV. 47.

TRUSTS—CONVEYANCE BY BENEFICIARY—DECREE CONFIRMING TITLE.—A husband conveyed land in trust for his wife for life to be conveyed by trustee to such persons as the wife might designate in her will. The wife by her own deed conveyed the land. *Held*, the decree of the lower court confirming legal title in the grantee must be set aside for legal title was in the trustee. *Dumas* v. *Carroll* (S. C.), 99 S. E. 801.

A beneficiary cannot convey his beneficial interest in property held by a trustee for the beneficiary's support, though the conveyance does not restrict alienation by the beneficiary, since it would be destructive of the trust. *Monday* v. *Vance*, 92 Tex. 428, 49 S. W. 516; *Barnes* v. *Dow*, 59 Vt. 530, 10 Atl. 258. Where a husband and wife convey land by deed to a trustee, and instruct the trustee to convey only on request and consent in writing of husband and wife, a conveyance by the husband alone as grantor will not convey legal title. *Batchelor* v. *Brereton*, 112 U. S. 396. In order that a conveyance of land may pass legal title the person holding the legal title must be the grantor and apt words of conveyance must be used by him. *Agricultural Bank* v. *Rice*, 4 How. 225.

A power of disposition by will cannot be executed by a conveyance of the premises by a deed or mortgage. *Bentham* v. *Smith*, Cheves' Eq. (S. C.) 33, 34 Am. Dec. 599. In North Carolina it is well settled by a long line of decisions that the beneficiary has no power of disposition over trust property except that which is clearly defined in the trust instrument. *Hardy* v. *Holly*, 84 N. C. 661; *Broughton* v. *Lane*, 113 N. C. 16, 18 S. E. 85; *Kirby* v. *Boyette*, 116 N. C. 165, 21 S. E. 697; *Shannon* v. *Lamb*, 126 N. C. 38, 35 S. E. 232. Where a power is required to be executed by will or an instrument of the same nature, a mere letter directing the manner of distribution is inoperative. See *Welch* v. *Henshaw*, 170 Mass. 409, 49 N. E. 659, 64 Am. St. Rep. 309; *Bentham* v. *Smith*, *supra*.

The legal title in a trust estate cannot be divested by the beneficiary by conveyance if his only power of disposition is by bequest at his death. *McDougall* v. *Dixon*, 19 App. Div. 420, 46 N. Y. Supp. 280. See also *Bull* v. *Odell*, 19 App Div. 605, 46 N. Y. Supp. 306. It has been held that a beneficiary cannot make a binding disposition of the income of property bequeathed to a trustee for the beneficiary's benefit. *First National Bank* v. *Mortimer*, 28 Misc. Rep. 686, 60 N. Y. Supp. 47.

In Georgia it is held that the beneficiary of a valid spendthrift trust cannot alienate the trust property and thereby defeat the object of the trust. *Moore* v. *Sinnott*, 117 Ga. 1010, 44 S. E. 810. In this connection, see *Wright* v. *Leupp*, 70 N. J. Eq. 130, 62 Atl. 464.

A beneficiary may, by a trust deed, convey his equitable estate without a joinder of the trustee. *Ryland* v. *Banks*, 151 Mo. 1, 51 S. W. 720. The estate of a beneficiary is an equitable estate whatever may be its limits, and such estate is not recognized by the common law. The trustee cannot limit or trammel the right of a beneficiary to dispose of his equitable estate. See MERWIN, EQUITY, §§ 144, 205.

WILLS—CHARITIES—BEQUEST FOR MASSES.—A testator by his will authorized and directed his executors to sell certain lands and expend the proceeds for masses for the benefit of himself and his deceased wife, naming neither parish nor priest. *Held*, the bequest is valid. *Wilmes* v. *Tiernay* (Iowa), 174 N. W. 271.

In England it has been established by a long line of decisions and by the statute of 1 Edw. VI, chap. 14 that a bequest for masses for the repose of one or an indefinite number of souls is invalid as a superstitious use. *West* v. *Shuttleworth*, 2 My. & K. 684; *Heath* v. *Chapman*, 2 Drew. 417; *In re Blundell's Trusts*, 30 Beav. 360; *In re Fleetwood*, L. R. 15 Ch. D. 595, 609. The doctrine of superstitious uses is universally repudiated in this country as being contrary to the first amendment to the Federal Constitution and repugnant to the spirit of religious freedom. *Harrison* v. *Brophy*, 59 Kan. 1, 51 Pac. 883, 40 L. R. A. 721; *Festorazzi* v. *St. Joseph Church*, 104 Ala. 327, 18 South. 394, 25 L. R. A. 360; *Holland* v. *Alcock*, 108 N. Y. 312, 16 N. E. 305.

A bequest for masses, then, must be upheld on one of three grounds: (1) that it is an absolute gift to the beneficiary named, with a request that it be used for masses; (2) that a valid charitable use is created; or (3) that a valid private trust is created. If the bequest cannot be brought under one of these three heads, it must fail. See *Festorazzi* v. *St. Joseph Church*, *supra*; *Sherman* v. *Baker*, 20 R. I. 446, 40 Atl. 11, 40 L. R. A. 717.

One line of cases upholds the bequest as an absolute gift accompanied by precatory words which do not raise a charitable trust. *Harrison* v. *Brophy*, *supra*; *Sherman* v. *Baker*, *supra*. Where a testator bequeathed to a bishop a certain sum of money "to have the same amount of masses celebrated as soon as possible for my soul," it was held that an outright gift was intended and a charitable trust was not created. *Estate of Lennon*, 152 Cal. 327, 92 Pac. 870, 14 Ann. Cas. 1024. The court based its decision on the fact that there was no benefit to the public or any class of the public, that the elements of continuance and perpetuity were lacking, and that the benefit was for the testator alone. There can be no objection to an absolute bequest with a request that it be used in a certain manner, if the act requested is not against public policy or a settled rule of law. *Holland* v. *Alcock*, *supra*; *Harrison* v. *Brophy*, *supra*.

A second class of cases holds that such a bequest creates a charitable trust which the courts can and will enforce. *Hoeffer* v. *Clogan*, 171